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TOWN OF JEROME, ARIZONA

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MINUTES

SPECIAL MEETING OF THE JEROME TOWN COUNCIL JEROME CIVIC CENTER - 600 CLARK STREET - COUNCIL CHAMBERS WEDNESDAY, MARCH 1, 2017 AT 7:00 P.M.

<p>ITEM #1:</p>	<p>CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE</p> <p>Mayor/Chairperson to call meeting to order. Town Clerk to call and record the roll.</p> <p><i>Vice Mayor Kinsella called the meeting to order at 7:01p.m. He noted that Mayor Vander Horst "is somewhere between Bisbee and Jerome, so he may arrive during the meeting."</i></p> <p><i>Town Manager/Clerk Candace Gallagher called roll. Present were Vice Mayor Kinsella, Councilmember Bachrach, Councilmember Barber and Councilmember Currier. Mayor Vander Horst was not present.</i></p> <p><i>Other staff present were Kyle Dabney, Zoning Administrator; Barry Wolstencroft, Building Inspector; and Joni Savage, Deputy Clerk.</i></p> <p>Mayor/Chairperson or designee to lead the Pledge of Allegiance. <i>Vice Mayor Kinsella led the Pledge of Allegiance.</i></p>
<p>ITEM #2: 7:02</p>	<p>DEVELOPMENT AGREEMENT WITH JEROME HISTORICAL SOCIETY</p> <p>Council will review, and may approve, a development agreement with the Jerome Historical Society with respect to Town-owned parcels 401-06-138, 401-06-076B and 401-06-140A. A portion of this discussion may take place in executive session with the Town Attorney, who may attend telephonically, pursuant to A.R.S. § 38-431.03 (A)(3) and (A)(4).</p> <p><i>Vice Mayor Kinsella recused himself because he is employed by the Jerome Historical Society. He handed the gavel to Councilmember Bachrach and left the dais.</i></p> <p><i>Councilmember Bachrach opened the floor to the public. No one came forward, and he then invited discussion by Council.</i></p> <p><i>Councilmember Currier asked Ms. Gallagher to brief Council on this issue.</i></p> <p><i>Ms. Gallagher explained that Council had previously approved a Memorandum of Understanding with the Historical Society, and this agreement includes the items that were specified in the MOU. It would now be time for Council to approve the Development Agreement, if they so choose. This agreement would revert three parcels to the Historical Society and give them permission to work on some of the Town land. Exhibit C of the agreement includes the Scope of Work. The agreement also provides that the Town will supply the CMP needed for the project, as we have a large amount stockpiled that was purchased with a grant from Yavapai County Flood Control.</i></p> <p><i>Councilmember Currier asked if our engineers had reviewed this document. Ms. Gallagher replied that they have not, but our attorney has reviewed and approved it.</i></p> <p><i>Councilmember Currier noted that there were members of the Jerome Historical Society Board of Directors present at this meeting, and asked if anyone knew what the notation "TL" on Exhibit D (a map) meant. There were guesses, but no one could say definitively what it stood for.</i></p> <p><i>Councilmember Bachrach said, "I want to go on record to say that I know the people involved in this project – I know their skill level and integrity. I have all the confidence they will complete this project professionally and in a well thought out manner." He noted that, should Council proceed with this, the impetus would fall upon the Historical Society to do their due diligence, and he asked if they have consulted with any engineers for the project regarding the type of fill, or scope of the project.</i></p> <p><i>Chief Muma responded that he has spoken with Mr. Wolstencroft. "We are not bringing fill in," he said. "All we are doing is fixing what is there. We're seeking a grade permit to regrade</i></p>

what is there. We may bring in some AB for the parking lot, perhaps 60 cubic yards."

Councilmember Bachrach said that he has walked the property several times and again that day, and it is clearly still moving.

Chief Muma agreed. "It's just a giant hole catching all the water," he said.

Councilmember Bachrach noted that there is a sheer wall, about 15' tall now, near the Queen's Neighbor Gallery, and asked if they plan to bring in material to grade up to that.

Chief Muma noted that this is not part of the property that would revert, but the agreement would give the Historical Society permission to access that area in order to regrade it. They would start at the "toe," regrade and bring the earth up. "We are going to take the lip off of the giant bowl," he said. "We will move the material back up. It's approximately 60 feet up. We will make sure it will slope." He added that they are requesting the CMP because "all of the water is dumping literally on the middle of the property. It drains on Douglas Road in a catch basin near the Powder Box Church. We want to extend that."

Councilmember Bachrach commented that it would have to get under Douglas Road. "I'm pretty clear on the scope," he said. "It certainly looks like a big job."

Chief Muma said, "It's not that big of a job. We're not filling it in again, we will grade what's there, which will keep the water from penetrating like it is right now. There are tons of coarse material that was dumped there, and once the water began to penetrate, it started the process of it sliding. I want to stop the water from penetrating – cut a slot drain, and, at the same time, negotiate with ADOT to increase and improve the drainage. We can easily extend the drain down First Street, but that is an ADOT problem. They are pouring water on our property. Hopefully they will help us with the slot drain. Maybe we can solve some of the problems on Hull as well, so it would be a win-win for everybody."

Councilmember Currier asked if they have contacted ADOT regarding their test drills in the parking area.

"We won't be affecting those," Chief Muma said, "but we will be contacting them to get a permit."

Councilmember Currier pointed out that the contour lines on the drawings are out of date. They show a gentle slope, he said, but there is now a 15' sheer drop.

"Right," Chief Muma said, "but we're not spending \$50,000 in drawings to do this project. That's the problem, the restrictions that are often placed upon government. We used the drawings that were there. We're going to be putting in the proposed contour lines."

Councilmember Currier asked, "Do you think there is enough soil on the parcels to rebuild the soil height?"

Chief Muma replied that there is enough on the lower side near the Queen's Gallery. He added, "we may end up losing a corner" near the gallery, and added that this is the area where they need permission to work.

Councilmember Currier said that he was still puzzled as to where the fill will come from to bring the parking lot back up to its former grade.

"That's why we have a big 'dozer," Chief Muma replied, and said again that they do not plan to bring more material in.

Councilmember Barber said that it appears from the drawing that "it will go back to where the Sliding Jail was on the edge again." She said that she wanted to point out that this is a rapid slide zone, and will probably always continue to move. She asked, if the property is transferred to the Historical Society, "does that mean you will only sell it back to the Town?"

Chief Muma replied, "Yes, we will not sell this property to anyone else."

Ms. Barber commented that the drawing looks great. "It looks like it used to prior to all that additional fill," she said.

It was noted that many people had dumped in that area for several years, and it was never compacted. "We will be cutting and compacting as we go," Chief Muma said.

Councilmember Barber asked if they would have engineers look at the project before beginning work.

Councilmember Currier said that he is hesitant because he's worried that the Historical Society is "biting off more than they expect." "Once it's turned over to them it's their baby," he said. "I'd hate to see them run into trouble."

Tracy Weisel, a Historical Society board member and a Jerome resident said, "Let's get to the bottom line. If we don't do it, are you going to? That's the bottom line."

Councilmember Bachrach said, "Without a viable plan, there is no good reason to not go

	<p>with this one." He invited Mr. Wolstencroft to comment.</p> <p>Mr. Wolstencroft said that he is not an engineer, and is not qualified to advise Council as to whether this is being done correctly. He added that he would like to discuss it again with Chief Muma. "I'm concerned with the top of the slope," he said, "and I want to verify that it's not going to start washing away."</p> <p>"You'd be involved?" Councilmember Bachrach asked.</p> <p>"I would issue a grading permit," Mr. Wolstencroft replied.</p> <p>Councilmember Currier asked if the liability would then rest with the Town.</p> <p>"No," Mr. Wolstencroft said. "I'm just saying that, in a bigger area, this would all go through their engineering department."</p> <p>"Even though it's being done by a private citizen?" Councilmember Currier asked.</p> <p>"Oh yeah," Mr. Wolstencroft responded.</p> <p>Councilmember Currier said, "The question came up, 'How could it get worse?'" He said that he is willing to enter into the agreement.</p> <p>Chief Muma commented that there has been no movement near the highway itself for a decade, and explained that the fill which was improperly placed in that area in the past, and saturated, is what was pulling everything down the hillside.</p> <p>Motion: Councilmember Currier made a motion to approve the development agreement. Councilmember Bachrach seconded the motion, and it was approved 3-0. (Mayor Vander Horst was absent and Vice Mayor Kinsella had recused himself.)</p>
<p>ITEM #6:</p>	<p>ADJOURNMENT</p> <p>Upon motion by Councilmember Currier, seconded by Councilmember Barber and unanimously approved, the meeting was adjourned at 7:27 p.m.</p>

Edited by Town Manager/Clerk Candace Gallagher from minutes taken and transcribed by Deputy Town Clerk Joni Savage.

APPROVE:

ATTEST:

Frank Vander Horst, Mayor

Candace B. Gallagher, CMC, Town Manager/Clerk

Date: _____